

Patent
10/099,890

REMARKS

This Amendment After Final Rejection is substantively identical to that previously filed on April 14, 2008 – with the exception of *clerical errors* now corrected with regard to Claims 6-8 (Claim 7 was previously listed as “currently amended”, but was not amended, and Claims 6 and 8 each had minor typographical errors).

The Advisory Action stated that “Claim 7 raises new issues that would require further consideration and/or search”. Applicants respectfully submit that Claim 7 was NOT amended (other than the clerical error to delete the preamble “the node of claim 1”), and that therefore the AAF filed on April 14, 2008, did NOT ‘raise new issues’. The AAF should have been entered when filed on April 14, 2008 accordingly such entry is now requested (eliminating the need for the accompanying RCE). (The AAF, as explained below, clearly places the application in condition for allowance.

Claims 1-3, 5-11, 13-24 and 62-65 are now pending in this application. Claims 4, 12 and 25-61 have been canceled. Claims 1, 6, 8, 16, 23-24 and 62 have been amended. Claims 1, 8, 16 and 62 are independent claims.

Applicants thank the Examiner for the indication that Claims 4, 8, 14-16, 19 and 62-64 contain allowable subject matter.

In order to place the application in condition for allowance at this time, the allowable limitations of Claim 4 have been added to independent Claim 1. In addition, Claims 8, 16 and 62 have been rewritten in independent form, and Claims 4, 12 and 25-61 have been canceled.

Claim 12 was rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. While Applicants believe that this claim is fully supported by the specification as filed, in order to place the application in condition for allowance, the claim has been canceled.

The previous rejection of Claim 41 under 35 USC 112, first paragraph, was withdrawn.

Patent
10/099,890

Claims 6 and 23-24 were rejected under 35 USC 112, second paragraph, for antecedent basis issues. Claims 6, 23 and 24 have been carefully reviewed and amended to address the Examiner's concerns. Reconsideration and withdrawal of the Section 112, second paragraph rejections are respectfully requested.

The previous rejection of Claims 1-24, 59-61 and 62-64 under 35 USC 112, second paragraph, as being indefinite, was withdrawn.

35 USC 103(a) rejections

Claims 1, 3, 5-7, 9, 20, 23-26, 38-40, 42-46, 48-50, 55, 59, 61 and 65 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,697,546 B2 (Ibukuro et al.) in view of US Patent Application Pub 2004/0085345A1 (Galou et al.).

Claims 1, 3, 20, 24, 26, 29, 40, 42, 45, 48, 49, 50 and 61 were rejected as being
PAGE 13/13 * RCVD AT 10/29/2008 10:34:41 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-4/9 * DNIS:2738300 * CSID:9085187795 * DURATION (mm-ss):22-50

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